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February 9, 2022

VIA EMAIL

The Honorable Sarah Netburn
Thurgood Marshall
United States Courthouse
40 Foley Square
New York, NY 10007

Re: Jane Doe 1 v. McAdam Financial Group LLC, et al.; Case No. 1:22-cv-00113-AJN-SN

Dear Judge Netburn,

We represent Plaintiff Jane Doe in connection with the above referenced matter, commenced on January 6, 2022, against Defendants McAdam Financial Group LLC (“McAdam Financial”) and Charles Norfleet. We write to respectfully request that the Court extend Plaintiff’s time to respond to the Motion to Dismiss filed by Defendant McAdam Financial, from February 17, 2022, until such time as Defendant Norfleet responds to the Complaint, which is due on or before March 15, 2022. *See* Dkt. No. 14.¹ Based on communications with counsel for Defendant Norfleet, he also will file a motion to dismiss, including for lack of personal jurisdiction or to transfer venue. The claims alleged by Plaintiff against the Defendants are factually and legally intertwined.

Counsel for Defendant McAdam Financial does not consent to Plaintiff’s extension request to oppose the motions at the same time. Counsel has indicated that they would consider, as a professional courtesy, an extension but not long enough to coordinate with Defendant Norfleet’s anticipated motion. Respectfully, to the extent both Defendants move to dismiss or to transfer venue based on the same underlying facts and rely on substantially the same legal support, Plaintiff believes that an omnibus opposition is a better use of time and resources for the parties, as well as the Court.

¹ On January 13, 2022, Defendant McAdam Financial was served via NYS Department of State and an affidavit of service filed. *See* Dkt. 13. The following day, counsel for Defendant Norfleet filed a Waiver of Service form even though Plaintiff did not send Defendant Norfleet a waiver. Rather, counsel for Defendant Norfleet unilaterally filled out a waiver form and submitted it on January 14, 2022. Despite repeated requests in writing by the undersigned for Norfleet’s counsel to concede that this was improper and to notify the Court, she did not do so. Counsel for Defendant McAdam Financial was copied in connection with this back and forth. Defendant McAdam Financial did not ask Plaintiff for an extension of its time to respond, which of course would have been granted, and opted to file its motion.

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Alternatively, and especially because of Defendant Norfleet's inappropriate, unilateral submission of a waiver of service form, Plaintiff suggests that the Court order Defendant Norfleet to respond to the Complaint on or before March 1, 2022.

We thank the Court for its attention to this matter.

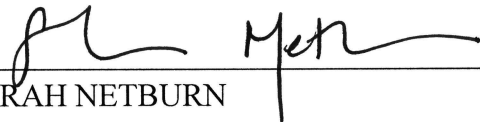
Respectfully,



Jeanne M. Christensen

Plaintiff's request for an extension of time to respond to Defendant McAdam's Financial Group LLC's Motion to Dismiss is GRANTED. Plaintiff shall reply 21 days after Defendant Charles Norfleet answers or otherwise responds to the Complaint.

SO ORDERED.



SARAH NETBURN
United States Magistrate Judge

Dated: February 9, 2022
New York, New York